

July 29, 2003

Comment Re FCC filing #02-278

I am the director of education for Benchmark Medical Consultants. Among other services, we provide medical and legal education to physicians and members of the insurance and legal industry. The proposed regulations, specifically removing the "established business relationship" qualification from the fax regulations, would not only be bad for business, but forcing us to obtain the written consent of our own members, clients and industry partners before transmitting any fax that could be interpreted as commercial in nature would likely result in lost opportunities for continuing education of these important members of the medical and legal community.

This would seriously hamper our ability to provide a valuable service to physicians and others. It would limit our ability to efficiently notify our established clients of last minute changes, opportunities, availabilities, etc. It would prevent us from efficiently surveying our clients as part of educational needs assessments, and from efficiently evaluating our educational offerings by fax.

We understand that the FCC is concerned with preventing unwanted marketing faxes or "spam," but feel that the proposed changes go too far and will not only hurt businesses, but limit educational providers and other professional associations from offering needed services to society as a whole.

There are also numerous concerns about the new regulations that remain a subject of speculation, including exactly which transmissions the FCC would interpret as commercial in nature, whether written consent to a national association would extend to chapter or affiliate faxes, and whether a written consent form would expire with membership, for example.

We urge the FCC to reconsider these measures, and allow business and continuing education providers to continue to communicate with their established clients by fax without obtaining prior written consent.

Sincerely,

Craig Vreeken  
CME Director  
Benchmark Medical Consultants